

## REMARKS

Reconsideration of the subject application as amended herein is respectfully requested.

Briefly, the subject application pertains to a disc player for playing a disc with two data layers on the same side. Advantageously, the player has a single head for reading the data layers, said laser head utilizing two lasers, one for each layer. The laser beams generated by the lasers are directed at the respective data layers by a common optical assembly. The optical assembly includes a lens that is movable to either one position or another. The position of the lens is shifted so that it focuses the first laser beam on the first data layer in one position and it focuses the second laser beam on the second data layer in a second position.

The Examiner has rejected the claims as being anticipated by the Maeda reference. However, Maeda discloses a recording media with two data layers that are read using two beams having different wavelengths. In the embodiment of Fig. 8, the two beams are directed simultaneously at the two data layers by a lens 17. Importantly, the optical characteristics of lens 17, the wavelengths of the two beams, the spacing between the two data layers and the materials of layers 2 and 5 of the disc must all be carefully selected. If any of these parameters are slightly off, the lens 17 is unable to focus the beams properly.

In the present invention, lens 408 is controlled or moved by tracking and focus servo 422 to focus the respective beam on the data layers of the disc.

The independent claims have been amended to describe this feature of the invention. It is respectfully submitted that the subject application as amended herein is now patentable over the prior art and therefore, it should be allowed.

Although it is thought that no fee is required at this time, the Commissioner is authorized to charge any required fees to the Deposit Account 07-1730. A duplicate of this is enclosed for that purpose.

Respectfully submitted,  
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